

1 DELEGATE CHILD: Mr. Chairman, I rise to speak
2 against the amendment for the simple reason that Delegate
3 Willoner's amendment is really re-writing the section which
4 is now Section 8, so that we have been asked to remove a
5 section, which is Section 8, without really getting the
6 combined and last judgment of the Committee on it.

7 I think that the Committee ought to look at
8 Section 8 which is Delegate Willoner's amendment which is
9 a substitute for Section 8 before they vote Section 8 down.

10 Now, I will agree that we recognize that this
11 rule has been abused in the Willoner amendment and we give
12 the Court of Appeals the right to limit that rule and we had
13 in mind that the Court of Appeals if a party wanted to
14 move a civil case should give notice so many days before
15 the case is set for trial so that there would be no surprise
16 on the other side and no injustice done, but I don't think
17 that we should eliminate Section 8 until we see what
18 Willoner and the other Members of the Committee have agreed
19 upon as a substitute for Section 8.

20 For that reason, I oppose the Scanlan amendment.

21 DELEGATE CLARK: Delegate James.